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Section 8 #3

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

Date: October 16, 2001

By: Lynnea B. Anderson

Docket No. 5756-0013.30

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Richard L. Mueller et al.

EXAMINER: Unknown

SERIAL No.: 09/891,715

ART UNIT: 1619

FILED: 26 June 2001

FOR: **METHOD AND APPARATUS FOR
TREATING ISCHEMIC TISSUE**

**Response to Notice to File Missing
Parts of Application**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. In response to the Notice to File Missing Parts mailed August 20, 2001 (copy enclosed), applicant submits the following:

- ☒ An Executed Declaration of Inventorship
- ☒ A Power of Attorney by Assignee
- ☒ a copy of an assignment recordation cover sheet for informational purposes only (Form PTOL-1595) for assignment being filed separately.

2. Conditional Petition for Extension of Time

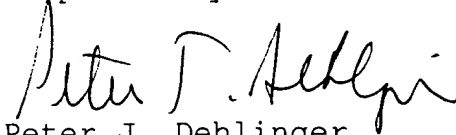
Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. Fee Payment

- ☒ Applicant claims small entity status. See 37 CFR \$1.27.

- ☒ Please charge Deposit Account 50-0665 for the surcharge due of \$65.00 for late filing of the declaration. Please charge any underpayment for timely filing of this Response to Deposit Account No. 50-0665.

Respectfully submitted,



Peter J. Dehlinger
Registration No. 28,006

Date: 10-16-01

Correspondence Address:

Customer No. 22918

Phone: (650) 838-4401



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/891,715	06/26/2001	Richard L. Mueller	5756-0013.30

CONFIRMATION NO. 1828

22918
IOTA PI LAW GROUP
350 CAMBRIDGE AVENUE SUITE 250
P O BOX 60850
PALO ALTO, CA 94306-0850

FORMALITIES LETTER

OC000000006445262

Date Mailed: 08/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 65.**

A copy of this notice MUST be returned with the reply.

M-u
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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